

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NATIONAL ASSOCIATION OF CHAIN DRUG STORES; NATIONAL COMMUNITY PHARMACISTS ASSOCIATION, and the WASHINGTON STATE PHARMACY ASSOCIATION,

Plaintiffs,

V.

XAVIER BECERRA, in his official capacity as Secretary of United States Department of Health and Human Services, and ELIZABETH RICHTER, in her official capacity as Acting Administrator for the Centers for Medicare & Medicaid Services.

Defendants.

Case No. 2:21-cv-00576-RSM

**DEFENDANTS' NON-OBJECTION TO
STATE'S MOTION TO INTERVENE**

Defendants have no objection to the State's pending motion to intervene. Dkt. No. 11.

Defendants echo the Plaintiffs' response (Dkt. No. 18), however, that because the parties have agreed that the case should be dismissed without prejudice and remanded to the agency, the State's motion is moot should the Court grant the parties' motion. *See* Joint Motion to Voluntary Remand, Dkt. No. 17.

1 DATED this 12th day of July, 2021.

2 Respectfully submitted,

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